

03-01-02

Please type a plus sign (+) inside this box → SUBSTITUTE for PTO/SB/05 (08/00) Utility Patent Application Transmittal
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCEA-1
Box
Seq
jc979 U.S. PTO
jc979 U.S. PTO
02/27/02jc968 U.S. PTO
02/27/02UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. IT0002PCA	
First Inventor or Application Identifier De Francesco et al.	
Title	METHOD FOR REPRODUCING IN VITRO THE RNA-DEPENDENT RNA POLYMERASE AND TERMINAL NUCLEOTIDYL TRANSFERASE ACTIVITIES ENCODED BY HEPATITIS C VIRUS (HCV)
Express Mail Label No.	EL523911587US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

- | | |
|--|--|
| 1. <input type="checkbox"/> Fee Transmittal Form
(Submit an original, and a duplicate for fee processing) | 6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary) |
| 2. <input checked="" type="checkbox"/> Specification [Total Pages 41] | a. <input checked="" type="checkbox"/> Computer Readable Form |
| 3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 3]
[Total Pages 44] | b. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy) |
| 4. Oath or Declaration | c. <input checked="" type="checkbox"/> Statements verifying identity of above copies |
| a. <input type="checkbox"/> Newly executed (original or copy) | 7. <input type="checkbox"/> Assignment papers (cover sheet & document(s)) |
| b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 14 completed) | 8. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney
(when there is an assignee) |
| i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u>

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b). | 9. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations |
| 5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 10. <input checked="" type="checkbox"/> Preliminary Amendment |
| 11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)
(Should be specifically itemized) | |
| 12. <input type="checkbox"/> Certified Copy of Priority Document(s)
(If foreign priority is claimed) | |
| 13. <input checked="" type="checkbox"/> Other: <u>Revocation of Power of Attorney filed in Parent Case</u> | |

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No. **08/1952,981**Prior application information: Examiner **Hutson, R** Group/Art Unit: **1652**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	Customer No. 000210 (Insert Customer No. or Attach bar code here)			
NAME	Sheldon O. Heber			
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30			
CITY	Rahway	STATE	NJ	ZIP CODE
COUNTRY	USA	TELEPHONE	732-594-1958	FAX

Name	Sheldon O. Heber	Registration No. (Attorney/Agent)	38,179
Signature	<i>Sheldon O. Heber</i>	Date	2/27/02

EXPRESS MAIL CERTIFICATE	
DATE OF DEPOSIT	Feb. 27, 2002
EXPRESS MAIL NO.	EL523911587US
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.	
MAILED BY	Christie Caffe
DATE	2-27-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

Prior Application:

Examiner	Hutson, R
Art Unit	1652

Sir: This is a request for filing a Continuation Divisional application, under 37 C.F.R. 1.53(b), of pending application Serial No. 08/952,981 filed on

March 23, 1998 of De Francesco

(DATE)

(INVENTOR)

for METHOD FOR REPRODUCING IN VITRO THE RNA-DEPENDENT RNA POLYMERASE AND TERMINAL NUCLEOTIDYL TRANSFERASE ACTIVITIES ENCODED BY HEPATITIS C VIRUS (HCV)

(TITLE OF INVENTION)

1. The enclosed comprises a copy of prior application Serial No. 08/952,981, as filed on March 23, 1998. The entire disclosure of this prior application is hereby incorporated by reference.

2. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Total Claims	13 -	20 0	\$18	\$0
Independent Claims	3 -	3 0	\$84	\$0
*Multiple Dependent Claims			\$280	
Basic Fee (minimum amount required)			\$740	
* Add this fee if application contains any multiple dependent claims, regardless of number.			\$740	Total Fee

3. The Assistant Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Account No. 13-2755.

4. Amend the specification by inserting before the first line the sentence:
-- This is a continuation, division of application Serial No. _____, filed _____.

5. Cancel in this application original claims: _____.

6. Preliminary amendment enclosed.

7. Information Disclosure Statement/PTO-1449 enclosed.

8a. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

8b. New formal drawings are enclosed.

9a. Priority of application Serial No. RM95A000343, filed May 25, 1995, in Italy is claimed under 35 U.S.C. 119.

(COUNTRY)

9b. The certified copy of the priority application has been filed in prior application Serial No. 08/952,981, filed during the PCT stage and a certified translation was filed January 16, 2001.

10. The prior application is assigned to Istituto Di Ricerche Di Biologia Molecolare P. Angeletti S.P.A.

11. The undersigned attorney or agent has:

- Power in the prior application as originally filed.
- Associate power, copy enclosed.

Respectfully,

By: Sheldon O. Heber

Attorney for Applicant(s)

Registration No. 38,179

Telephone: (732) 594-1958

Address: Merck & Co., Inc.
Patent Department
P.O. Box 2000 - RY60-30
Rahway, N.J. 07065-0907

Date: 3/27/02

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT

EXPRESS MAIL NO. EL523911587US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

MAILED BY

DATE 2-27-02

IN DUPLICATE

Enclosure

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: De Francèso et al.

Serial No.: TBA Case No.: IT0002PCA

Art Unit:

Filed:

Examiner:

For: METHOD FOR REPRODUCING IN VITRO THE RNA-DEPENDENT RNA POLYMERASE AND TERMINAL NUCLEOTIDYL TRANSFERASE ACTIVITIES ENCODED BY HEPATITIS C VIRUS (HCV)

Assistant Commissioner for Patents
Washington, D.C. 20231

SEQUENCE LISTING STATEMENT

Sir:

The enclosed paper copy and computer readable copy of the Sequence Listing for this application is hereby submitted with the filing of this application. The contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821 *et seq.*, are the same.

No fee is believed to be due. However, the Commissioner is authorized to charge Deposit Account No. 13-2755 for any amount necessary for the entry of this Sequence Listing.

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT Feb 27 2002
EXPRESS MAIL NO. EL523911587115
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS EXPRESS MAIL "POST OFFICE TO
ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN
AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, D.C. 20231.
MAILED BY Charles Cullen
DATE 2-27-02

Date: 2/27/02

Respectfully submitted,

By Sheldon O. Heber
Sheldon O. Heber
Reg. No. 38,179
Attorney for Applicant

MERCK & CO., INC.
P.O. Box 2000, RY60-30
Rahway, New Jersey 07065-0907
(732) 594-1958